## REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 20, 22-25, and 27-32 are pending in this application, Claims 23, 27, and 32 having been amended. Support for amended Claims 23, 27, and 32 can be found, for example, in the original claims, drawings, and in the specification as originally filed.[1] No new matter is added.

In the outstanding Office Action, Claims 20, 22-25, and 27-32 were rejected under 35 U.S.C. § 103(a) as unpatentable over Van Valer (U.S. Patent No. 6,714,209) in view of McFarland et al. (U.S. Patent No. 6,903,760; hereinafter "McFarland").

Applicants acknowledge with appreciation the courtesy of Examiner Pham in granting an interview in this case with Applicants' representative on October 30, 2008, during which time the issues in the outstanding Office Action were discussed as substantially summarized hereinafter and also on the Interview Summary Sheet. No agreement was reached during the interview pending a formal response to the outstanding Office Action.

In response to the rejection under 35 U.S.C. § 103(a), Applicants respectfully submit that amended independent Claim 23 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 23 is directed to a system for performing processes used for generating printing data including, *inter alia*;

> ... a network capable client configured to locally control/perform said processes used for generating printing data on the basis of which a disk label is creatable, the generated printing data at the client being presented to a user at a first resolution; and
>
> a network capable server configured to offer functionality directly usable and installable on said network

[1] See page 4, lines 4-18 and page 8, lines 23-32 of the specification.

> capable client, wherein said functionality is adapted to locally control/perform said processes used for generating printing data on the basis of which said disk label is creatable, wherein said network capable client and said network capable server are connected with each other via a communication network, wherein said printing data are generated based on graphic data representing said disk label, wherein, in advance of finalizing said graphic data for said disk label, a disk label printing area is determined in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and wherein ***from said disk type, areas within said disk that are protected are derivable and are prohibited from being labeled for said disk category***, and wherein, during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked, the server being configured to process the printing data of the first resolution and to rescale it into printing data of a second, higher resolution.

Independent Claim 32 recites substantially similar features as Claim 23. Thus, the arguments presented below with respect to Claim 23 are also applicable to Claim 32.

Page 3 of the outstanding Office Action acknowledges that Van Valer "does not teach a disk label printing area is determined in dependence on selection by a user of a disk category and a disk type, wherein said category defines overall dimensions for disks of each disk category, wherein from said disk type areas are derivable which are prohibited from being labeled...." Page 3 of the outstanding Office Action asserts that column 5, line 55-67 and column 8, lines 46-57 of McFarland describes the above features in which "from said disk type areas are derivable which are prohibited (fig. 4 shows there are certain areas that would be outside the label area corresponding to the area of the CD and are blocked from printing and/or not printing on the CD printable area, col. 5, lines 23-30)."

However, McFarland fails to teach or suggest that "a disk label printing area is determined in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and wherein ***from said disk type, areas within said disk that are protected are derivable and are***

***prohibited from being labeled for said disk category***," as recited in Applicants' amended independent Claim 23.

As discussed during the interview, column 5, lines 58-61 of McFarland merely states that "a layout can be generated without user input that is suitable for multiple sizes of optical storage discs, thus not requiring the user to select a layout that is related to the size of the optical storage disc." In addition, McFarland describes that images that are printed to the disk are bounded by a groove 340 which defines the ***outside portion of the disk*** and prevents images from being produced outside of the edge of the disk.[2] McFarland does not describe that a disk label printing area is determined in dependence on selection by a ***user*** of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and from the disk type, ***areas within said disk*** that are protected are derivable and are prohibited from being labeled for said disk category."

In addition, Applicants respectfully submit that the cited references fail to teach or suggest "the generated printing data at the client being ***presented to a user at a first resolution***... the server being configured to process the printing data of the ***first resolution and to rescale it into printing data of a second, higher resolution***," as recited in Claim 23. Page 4 of the outstanding Office Action states that column 6, lines 35-40 of McFarland describes the above feature. Applicants respectfully disagree.

Column 6, lines 35-40 of McFarland states:

> An algorithm may be used to scale the size of each image, title, and selection of artwork according the size of the storage media and the size of the label page or the size of the storage media. Conventional graphical user interface techniques may be used to receive input from the user, present the composite file to the user, and store the composite file into memory.

[2] See McFarland at column 4, lines 4-58 and Figure 4.

However, this portion of McFarland only describes rescaling the artwork to fit the size of various storage media (e.g. disk sizes) and does not present data in a first resolution to a user and rescale the data to a second higher resolution for printing.

Accordingly, Applicants respectfully submit that independent Claims 23 and 32, and all claims depending therefrom are patentable.

Independent Claim 27 is directed to a method which recites the steps of:

> locally controlling/performing said processes used for generating printing data on the basis of which a disk label is creatable, the generated printing data at the client being presented to a user at a first resolution...determining, at said network capable client and in advance of finalizing said graphic data for said disk label, a disk label printing area in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and wherein from said disk type, areas within said disk that are protected are derivable and are prohibited from being labeled for said disk category... the server being configured to process the printing data of the first resolution and to rescale it into printing data of a second, higher resolution.

Thus, amended independent Claim 27 and all claims depending therefrom are believed to be patentable for at least the reasons discussed above with respect to independent Claim 23.

Accordingly, Applicants respectfully request the rejection of Claims 20-25 and 27-32 under 35 U.S.C. § 102(e), be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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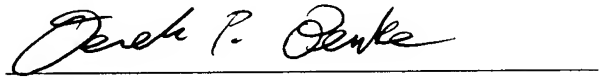

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